IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO. 3359 OF 2004

Kishan Atmaram Maheshwari and Ors. ..Petitioners

Versus

The State of Maharashtra and Ors. ... Respondents.

Mr. M.P. Vashi for the petitioners.
Mr. K.R. Belosey, Assistant Government Pleader, for respondent Nos. 1 to 4.
Mr. A.A. Joshi for respondent No.5.
Mr. R.M. Joshi for respondent Nos.6 and 7.

CORAM: **DALVEER BHANDARI, C.J.** &
S.J. VAZIFDAR, J.
DATE: **SEPTEMBER 06, 2005**.

P.C.

The petitioners are aggrieved by the order dated 9th July, 2002, passed by the Minister for Revenue against the order dated 21st June, 2002, passed by the Collector, Mumbai Suburban District, Bombay.

2. Against the order passed by the Collector, Mumbai Suburban District, an appeal was preferred by respondent No.5 before the Minister for Revenue who stayed the operation of the order of the Collector. The learned counsel appearing for respondent No.5 submits

that the appeal now has been transferred to the Additional Commissioner, Konkan Division, and is pending adjudication before him. The learned counsel appearing for respondent No.5 undertakes to supply the entire set of papers to the learned counsel appearing for the petitioner.

3. In the facts and circumstances of this case, we direct the Additional Commissioner, Konkan Division, to dispose of the appeal filed by respondent No.5 by a reasoned order after affording hearing to the petitioners and all other affected parties. To avoid any further delay, we direct the petitioners and all other affected parties to appear before the Additional Commissioner, Konkan Bhavan, on 26th September, 2005 at 11.00 a.m.

4. No further directions are necessary in this petition. This petition is accordingly disposed of.

CHIEF JUSTICE

S.J. VAZIFDAR, J.